

REMARKS

Entry of this amendment is respectfully requested.

The undersigned gratefully acknowledges the courtesies extended by the Examiner during the telephone interview of February 24, 2009. All rejections were discussed, and it was generally agreed that upon clarification of the ranges of components to overcome the 35 U.S.C. §112, second paragraph, rejection and upon submission of a terminal disclaimer, the application would be in condition for allowance because the cited references do not show the claimed ranges of components. This amendment is submitted in accordance with the telephone interview.

Claims 155 and 172 have been rewritten in independent form because they were not rejected over any references.

The 35 U.S.C. §112, first paragraph, rejection is not believed to apply to the claims, as claim 141 has been amended to recite ranges of A) and a) that have the same lower limit. Note that A) may contain a) and also b) and c) to make up the remaining portion of the total amount of A) in the mixture.

Claims 141-154, 156-171 and 173-177 were rejected under 35 U.S. C. §103 were rejected under 35 U.S.C. §103(a) over Leon in view of Tsuneta and Matsuda. Applicants respectfully traverse.

None of these references show the specific claimed components of claim 141, and modifying Leon as suggested by the examiner, would change the entire invention of Leon, which relates primarily to ferro-based electrically conductive materials.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

A terminal disclaimer is submitted herewith to overcome the obviousness-type double patenting rejection.

In view of the foregoing, all rejections are believed to be overcome. Allowance is respectfully requested.

The Examiner is respectfully requested to contact the undersigned by telephone if any other issues remain.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-DNAG-293-US.

Respectfully submitted

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